

Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 HEW-06 AID-05 DODE-00 MED-03
DEAE-00 CIAE-00 INR-07 JUSE-00 NSAE-00 SNM-02
TRSE-00 USIA-15 NSC-05 OES-06 OMB-01 L-03 H-02
DHA-02 SS-15 PA-02 PRS-01 SP-02 SCSE-00 SCA-01
/104 W

-----221144Z 037348 /22

R 221059Z MAR 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 6685
INFO USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
AMCONSUL STUTTGART
AMEMBASSY PARIS

UNCLAS BONN 05002

POSTS PASS TO DEA IN HAMBURG, FRANKFURT, MUNICH, PARIS

E.O. 11652: N/A
TAGS: SNAR, GW
SUBJECT: CONGRESSIONAL HEARINGS ON DECRIMINALIZATION
OF MARIHUANA

REF.: STATE 57902 44Z MAR 77)
BONN 04689 (R161614Z MAR 77)

1. FURTHER TO BONN 04689 REQUESTING INFORMATION ON
FOREIGN LAWS PERTAINING TO POSSESSION OF MARIHUANA.

2. FRG CONSIDERS MARIHUANA AND HASHISH A MAJOR
PROBLEM AREA OF ABUSE FOLLOWED CLOSELY BY HEROIN.
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CONSEQUENTLY FRG LAWS ARE STRONG IN FORBIDDING
POSSESSION OF ANY AMOUNTS OF CANNABIS. SECTION 11 OF
THE LAW ON NARCOTICS DATED OCTOBER 3, 1972 PRESCRIBES
QUOTE PUNISHMENT WITH IMPRISONMENT UP TO THREE YEARS
AND BY A FINE, OR EITHER OF THESE PUNISHMENTS, WILL
BE INFLICTED UPON WHOEVER PSSSESSES NARCOTICS
REFERRED TO IN SECTION 9, WITHOUT THE FEDERAL PUBLIC

HEALTH OFFICE HAVING GRANTED AN EXCEPTION. UNQUOTE.

3. REFERRED TO UNDER CITED SECTION 9 IS MARIHUANA DESCRIBED AS QUOTE FLOWERS OR FRUCTIFICATIONS OF THE PLANTS BELONGING TO THE GENUS CANNABIS, FROM WHICH THE RESIN HAS NOT BEEN EXTRACTED; I.E. EXEMPTED ARE THE SEEDS NOT MIXED WITH SUCH FRUCTIFICATIONS AND THE LEAVES NOT CONTAINING RESIN. UNQUOTE.

4. EMBASSY AND DEA ATTACHE NOTE THAT ON CONVICTION FOR MARIHUANA, SEVERENESS OF PENALTY DEPENDS ON AMOUNT AND LEVEL OF VIOLATOR AND AGE OF VIOLATOR. ADULT FIRST OFFENDERS IN POSSESSION OF LESS THAN ONE OUNCE OF MARIHUANA CAN BE FINED AS LITTLE AS 150 - 200 DM (\$ 60 - \$ 80). ON THE OTHER HAND, TRAFFICKERS IN HASHISH ARE GIVEN MORE SEVERE SENTENCES. 1975 SENTENCING STATISTICS FOR MARIHUANA/HASHISH TRAFFICKING ARE NOT BROKEN OUT AS SEPARATE CLASS. HOWEVER, NARCOTIC CONVICTION STATISTICS REFLECT THE FOLLOWING:

7,547 PERSONS WERE CONVICTED FOR NARCOTIC OFFENSES. OF THESE, 2,267 OR 30 PERCENT, WERE GIVEN FINES. 4,893 PERSONS WERE IMPRISONED WITHOUT BEING ASSESSED A FINE, AND 387 WERE IMPRISONED AND FINED. THEREFORE, 69 PERCENT OF THE CONVICTIONS IN FRG FOR ALL TYPES OF DRUG OFFENSES RESULTED IN IMPRISONMENT. OF THESE TOTAL IMPRISONMENTS FOR NARCOTIC OFFENSES, 3043 WERE SENTENCED AS FELONS, I.E. MORE THAN ONE YEAR.

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Message Attributes

Automatic Decaptioning: X
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Copy: SINGLE
Sent Date: 22-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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